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DATE MAILED: 05/19/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,266	08/31/2000	Moshe Bril	00/20770	4051
7590 05/19/2005			EXAMINER	
G E Ehrlich (1995) LTD c/o Anthony Castorina			KARMIS, STEFANOS	
Suite 207			ART UNIT	PAPER NUMBER
2001 Jefferson Davis Highway		. 3624		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Sefano Karmis		Application No.	Applicant(s)					
Staminer   Serior Surminer			BRIL, MOSHE					
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Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Edutations of time may be available under the provisions of 3°CPR 1.35(a), in a event, however, may a reply be timely filed after 50°C (b)	-							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  The MALING DATE OF THIS COMMUNICATION.  Interest SX (5) MONTHS from the making date of this communication.  If the period for reply specified down is less than they (3) days, a reply which the statemy reply be timely fixed interest properties to less than they (3) days, a reply which the statemy reply making the considered fixed).  If the period for reply specified down is less than they (3) days, a reply which the statemy reply making the considered fixed).  If the period for reply specified down is less than they (3) days, a reply which the statemy reminimum of time; (3) days will be a considered fixed).  If the period for reply specified down is less than the remaining date of this communication, which the period is set of extended period for reply will, by statute, cause the application is become ABANDONED (35 U.S.C. § 133). Any reply received by the Office latte has here merising date of this communication, even if timely fixed, may reduce any seamed patent term evaluation.  1) □ Responsive to communication(s) fixed on 0.7 February 2005  2a) □ This action is FINAL.  2b) □ This action is FINAL.  2b) □ This action is FINAL.  2c) □ This action is FINAL.  2c) □ This action is for all the period of a communication.  4a) □ Claim(s) 1.19 is/are pending in the application.  4a) □ Claim(s) 1.19 is/are allowed.  □ □ Claim(s) 1.19 is/are allowed.  □ □ Claim(s) 1.19 is/are rejected.  7c) □ Claim(s) 1.19 are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on 1.19/are: a) □ accepted or b) □ objected to by the Examiner.  Application Papers  9) □ The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a) or (f).  3.1 □ Delay Book of the priority doc								
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Application/Control Number: 09/653,266

Art Unit: 3624

## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - Claims 1-18, drawn to processing bids over a network for items to be sold,
     classified in class 705, subclass 37.
  - II. Claim 19, drawn to the probability of accepting a bid at a given price level,classified in class 705, subclass 37.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as determining the probability of accepting a bid at a given price level. See MPEP § 806.05(d).

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement may be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

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currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <a href="http://pair-direct.uspto.gov">http://pair-direct.uspto.gov</a>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted Stefano Karmis 06 May 2005

HANI M. KAZIMI DDIMARY EYAMINEE